

**GOVERNMENT OF ANDHRA PRADESH**

**ABSTRACT**

Panchayats – Appeal Petition filed by Sri Bonam Bhaghavannarayna, Sarpanch (Suspended), Telikicherla Gram Panchayat, Nallajerla Mandal, West Godavari District – Against the proceedings of the District Collector (PW), West Godavari District – Appeal Petition - Allowed – Orders – Issued.

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**PANCHAYAT RAJ AND RURAL DEVELOPMENT (PTS.II) DEPARTMENT**

**G.O. Rt. No. 1371**

**Date:22- 08-2011.**

**Read the following:**

1. From the Dist. Collector, West Godavari Dist., Procds. No.248/10A1(Pts), Dated 30-03-2011.
2. Appeal Petition filed by Sri Bonam Bhaghavannarayna, Sarpanch (Suspended), Telikicherla Gram Panchayat, Nallajerla Mandal, West Godavari District, DT. 16.04.2011.
3. Govt.Memo.No.8029/Pts.II/A1/2011-1, Dt.20.04.2011.
4. Appeal Petition filed by K. Srinivas, 6<sup>th</sup> Ward Member, Telikicherla GP, Nallajerla Mandal, W.G. Dist., dt. 14.7.2011.
5. From the Asst. Registrar, APHC, Hyd., WPNos. 13787, 14477 and 17454 of 2011, dt. 01.07.2011.
6. From the Dist. Collector, West Godavari Dist., Procds. No.248/10A1(Pts), Dated 13-05-2011.
7. Govt.Tele.No.8029/Pts.II/A1/2011-2, Dt.22.07.2011.
8. The DPO, West Godavari Dist., Lr.NO.248/2011/A1(Pts), Dated 27-07-2011.
9. Govt.Memo.No.8029/Pts.II/A1/2011-4, Dt.26.07.2011.
10. From the Deputy Registrar, APHC, Hyd., WPMNo.16710 of 2011 in WPNos.13787 of 2011, dt. 30.03.2011

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**ORDER:**

In the reference 1<sup>st</sup> read above, the District Collector (PW), West Godavari District has suspended Sri Bonam Bhaghavannarayna from the post of Sarpanch, Telikicherla Gram Panchayat, Nallajerla Mandal, West Godavari District U/s 249(6) of Andhra Pradesh Panchayat Raj Act, 1994 for misappropriation of funds and misuse of powers.

2. Aggrieved by the said orders, in the reference 2<sup>nd</sup> read above Sri Bonam Bhaghavannarayna, Sarpanch (Suspended), Telikicherla Gram Panchayat, Nallajerla Mandal, West Godavari District has filed an Appeal Petition before Government and requested to suspend the proceedings of the District Collector(PW), West Godavari dated 30-03-2011.

3. In the reference 3<sup>rd</sup> read above, the Government while granting stay against the Proceedings of District Collector (PW), West Godavari has requested the Dist. Collector to furnish his report for taking further action.

4. In the reference 4<sup>th</sup> read above, Sri. K. Srinivas, 6<sup>th</sup> Ward Member has filed a Petition before the Government against the sarpanch and requested the Government to vacate the stay orders issued vide reference 3<sup>rd</sup> read above.

5. In the reference 5<sup>th</sup> read above the Hon'ble High Court while disposing the said WPs has directed to Government to dispose the appeal Petition filed by the Petitioners within a period of 3weeks from the date of the receipt of the said application after due notice to Bhaghavannarayna.

(Contd..2)

6. The case was heard on 26.7.2011. Both parties were attended the hearing. During the hearing it has directed to file written arguments to the applicant. It has also directed to the District Panchayat Officer to furnish his detail verification report on the cheque issued by the sarpanch. In response to the Government letter, the Appellant while submitting his written arguments has stated that the person who made the allegations are rivals of the sarpanch. The District Collector failed to see that in the execution of the welfare scheme Deepam, the Sarpanch has no role whatsoever. It is to be implemented by the DRDA in Tandem with the MPDO. In fact the persons who claim to have given statements complaining that the Sarpanch had collected Rs. 2,000/- had not given statement before the District Panchayat Officer who conducted the enquiry on 23.2.2011. The present allegation against the sarpanch that he had collected large sums from individual consumers on a false promise of getting them gas connection is one such endeavor by the disgruntled politicians within a party and from outside the party. The Collector should have seen that without there being any material evidence to connect the sarpanch with such irregularity, he cannot be victimized and suspended from the discharging his functions. Further no criminal complaint have been made before police who perhaps said to complaint against Sarpanch. The other allegation leveled against the sarpanch is that he has drawn the money for payment of salary to the tank operator but has not paid it in fact this can be verified from the office records. The sarpanch humbly submits that he has withdrawn the money and paid to the employee and the employee had affixed his signature on the register having received the salary and hence the allegation leveled against the sarpanch pales into insignificance. Finally he has stated that there is no basis whatsoever and requested to set aside the impugned order of the dist. Collector.

7. In the reference 9<sup>th</sup> reference read above, it has requested to furnish his verification report on the cheque issued by the sarpanch to Government. The DPO, West Godavari has reported that the sarpanch has drawn self cheque for an amount of rs. 9,000/- and not dispersed to the tank operator vide reference 8<sup>th</sup> read above.

8. Government after detailed examination of the matter and material available in record hereby allow the Appeal Petition file by Sri Bonam Bhaghavannarayna, Sarpanch (Suspended), Telikicherla Gram Panchayat, Nallajerla Mandal, West Godavari District by setting aside the proceedings of the District Collector (PW), West Godavari District issued vide reference 1<sup>st</sup> read above.

9. The District Collector (PW), West Godavari District shall take necessary further action accordingly.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

**Dr. RAJIV SHARMA  
PRINCIPAL SECRETARY TO GOVERNMENT**

To  
The District Collector (PW), West Godavari District.  
The Commissioner, Panchayat Raj and Rural Employment, Hyderabad.  
The District Panchayat Officer, West Godavari District.

**Copy to:**

Sri Bonam Bhaghavannarayna, Sarpanch (Suspended), Telikicherla Gram Panchayat, Nallajerla Mandal, West Godavari District  
The Government Pleader for (PR&RD), High Court of A.P. Hyderabad.  
P.S. to M(PR&RWS)  
The P.S to Prl. Secy.  
Sf/Sc.

**//FORWARDED BY ORDER//**

**SECTION OFFICER**